

given that (at the least) Ohio law offers voters personalized assistance by Board of Elections employees in both filling out and returning ballots. *See generally* R.C. § 3509.08. Furthermore, Paragraph 56 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations. Finally, Intervenors are without knowledge or information sufficient to form a belief about the remaining allegations in Paragraph 56 and so deny them.

57. Intervenors are without knowledge or information sufficient to form a belief about the allegations in Paragraph 57 and so deny them.

58. Intervenors are without knowledge or information sufficient to form a belief about the allegations in Paragraph 58 and so deny them.

59. Intervenors are without knowledge or information sufficient to form a belief about the allegations in Paragraph 59 and so deny them.

60. Paragraph 60 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

61. Intervenors are without knowledge or information sufficient to form a belief about the allegations in Paragraph 61 and so deny them. Furthermore, Paragraph 61 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations. Finally, Ohio election law speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegation.

62. Intervenors are without knowledge or information sufficient to form a belief about the allegations in Paragraph 62 and so deny them.

63. Ohio election law speaks for itself and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations. Furthermore,

Paragraph 63 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations. Finally, Intervenors are without knowledge or information sufficient to form a belief about the remaining allegations in Paragraph 63 and so deny them.

64. Ohio election law speaks for itself and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations. Furthermore, Paragraph 64 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations. Finally, Intervenors specifically deny that the Challenged Provisions "threaten to exclude [Miss Kucera] from voting entirely," given that (at the least) Ohio law offers voters personalized assistance by Board of Elections employees in both filling out and returning ballots. *See generally* R.C. § 3569.08.

65. Ohio election law speaks for itself and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations. Furthermore, Paragraph 65 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

66. Paragraph 66 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

67. Paragraph 67 contains legal conclusions and hypotheticals to which no response is required. To the extent a response is required, Intervenors deny the allegations. Furthermore, HB 458 speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations.

68. Paragraph 68 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

69. Intervenors are without knowledge or information sufficient to form a belief about the allegations in Paragraph 69 and so deny them.

70. Intervenors are without knowledge or information sufficient to form a belief about the allegations in Paragraph 70 and so deny them.

71. Intervenors are without knowledge or information sufficient to form a belief about the allegations in Paragraph 71 and so deny them.

72. Intervenors are without knowledge or information sufficient to form a belief about the allegations in Paragraph 72 and so deny them.

73. Paragraph 73 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

74. Paragraph 74 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

75. Paragraph 75 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

76. Paragraph 76 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

77. Paragraph 77 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations. Intervenors are without knowledge or information sufficient to form a belief about the remaining allegations in Paragraph 77 and so deny them.

78. Ohio election law speaks for itself and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations. Intervenors are

without knowledge or information sufficient to form a belief about the remaining allegations in Paragraph 78 and so deny them.

79. Paragraph 79 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations. Intervenor are without knowledge or information sufficient to form a belief about the remaining allegations in Paragraph 79 and so deny them.

80. Intervenor are without knowledge or information sufficient to form a belief about the allegations in Paragraph 80 and so deny them.

81. Intervenor are without knowledge or information sufficient to form a belief about the allegations in Paragraph 81 and so deny them.

82. Intervenor are without knowledge or information sufficient to form a belief about the allegations in Paragraph 82 and so deny them.

83. Intervenor are without knowledge or information sufficient to form a belief about the allegations in Paragraph 83 and so deny them.

84. Intervenor are without knowledge or information sufficient to form a belief about the allegations in Paragraph 84 and so deny them.

85. Ohio law governing the Secretary's responsibilities speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenor deny the allegations.

86. Ohio law governing the Secretary's responsibilities speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenor deny the allegations.

87. Ohio law governing the Secretary's responsibilities speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations.

88. Ohio law governing the Secretary's responsibilities speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations.

89. Ohio law governing the Secretary's responsibilities speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations.

90. Ohio law governing the Secretary's responsibilities speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations.

91. Intervenors admit that Secretary LaRose issued a Directive on HB 458 on February 7, 2023. That Directive speaks for itself and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations.

92. The Directive speaks for itself and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations.

93. Paragraph 93 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

94. Ohio law governing the Attorney General's responsibilities speaks for itself and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations.

95. Ohio law governing the Attorney General's responsibilities speaks for itself and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenor deny the allegations.

96. Paragraph 96 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations.

97. Intervenor admit that Michael O'Malley is the County Prosecutor in Cuyahoga County. Intervenor are without knowledge or information sufficient to form a belief about the remaining allegations in Paragraph 97 and so deny them.

98. Ohio law governing a County Prosecutor's responsibilities speaks for itself and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenor deny the allegations.

99. Paragraph 99 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations. Intervenor are without knowledge or information sufficient to form a belief about the remaining allegations in Paragraph 99 and so deny them.

CAUSES OF ACTION

100. The Ohio case law cited in Paragraph 100 speaks for itself and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenor deny the allegations. Furthermore, Paragraph 100 contains legal conclusions that do not require a response. To the extent a response is required, Intervenor deny the allegations.

101. Paragraph 101 contains legal conclusions that do not require a response. To the extent a response is required, Intervenor deny the allegations.

102. Paragraph 102 contains legal conclusions that do not require a response. To the extent a response is required, Intervenors deny the allegations.

103. Paragraph 103 contains legal conclusions that do not require a response. To the extent a response is required, Intervenors deny the allegations.

104. Paragraph 104 contains legal conclusions that do not require a response. To the extent a response is required, Intervenors deny the allegations.

105. Paragraph 105 contains legal conclusions that do not require a response. To the extent a response is required, Intervenors deny the allegations.

106. Paragraph 106 contains legal conclusions that do not require a response. To the extent a response is required, Intervenors deny the allegations.

COUNT I

107. Intervenors reassert and incorporate by reference their answers in the preceding paragraphs.

108. Intervenors admit that Plaintiffs purport to bring their claim “pursuant to 42 U.S.C. § 12132 and 42 U.S.C. § 1983.”

109. The ADA speaks for itself, and Plaintiffs’ description of it does not require a response. To the extent a response is required, Intervenors deny the allegations.

110. The ADA speaks for itself, and Plaintiffs’ description of it does not require a response. To the extent a response is required, Intervenors deny the allegations.

111. The ADA speaks for itself, and Plaintiffs’ description of it does not require a response. To the extent a response is required, Intervenors deny the allegations.

112. The ADA speaks for itself, and Plaintiffs’ description of it does not require a response. To the extent a response is required, Intervenors deny the allegations.

113. The ADA speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations.

114. Paragraph 114 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations. Intervenors are without knowledge or information sufficient to form a belief about the remaining allegations in Paragraph 114 and so deny them.

115. Intervenors are without knowledge or information sufficient to form a belief about the allegations in Paragraph 115 and so deny them.

116. Intervenors are without knowledge or information sufficient to form a belief about the allegations in Paragraph 116 and so deny them.

117. Ohio election law speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations.

118. Paragraph 118 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations. Intervenors specifically deny that the Challenged Provisions "forbid Miss Kucera and League members with disabilities from obtaining assistance in returning an absentee ballot by anyone other than an enumerated family member," given that (at the least) Ohio law offers voters personalized assistance by Board of Elections employees in both filling out and returning ballots. *See generally* R.C. § 3509.08.

119. Intervenors are without knowledge or information sufficient to form a belief about the allegations in Paragraph 119 and so deny them.

120. Intervenors specifically deny that "Miss Kucera's only legal option to vote is to burden her 75-year-old mother," given that (at the least) Ohio law offers voters personalized assistance by Board of Elections employees in both filling out and returning ballots. *See generally*

R.C. § 3509.08. Intervenors are without knowledge or information sufficient to form a belief about the remaining allegations in Paragraph 120 and so deny them.

121. Paragraph 121 contains legal conclusions that do not require a response. To the extent a response is required, Intervenors deny the allegations.

122. Paragraph 122 contains legal conclusions that do not require a response. To the extent a response is required, Intervenors deny the allegations.

123. Paragraph 123 contains legal conclusions that do not require a response. To the extent a response is required, Intervenors deny the allegations.

124. Paragraph 124 contains legal conclusions that do not require a response. To the extent a response is required, Intervenors deny the allegations.

125. Intervenors specifically deny the allegations in Paragraph 125, given that (at the least) Ohio law offers voters personalized assistance by Board of Elections employees in both filling out and returning ballots. *See generally* R.C. § 3509.08.

126. Paragraph 126 contains legal conclusions that do not require a response. To the extent a response is required, Intervenors deny the allegations.

127. Paragraph 127 contains legal conclusions that do not require a response. To the extent a response is required, Intervenors deny the allegations.

128. Paragraph 128 contains legal conclusions that do not require a response. To the extent a response is required, Intervenors deny the allegations.

129. Paragraph 129 contains legal conclusions that do not require a response. To the extent a response is required, Intervenors deny the allegations. Furthermore, Ohio election law speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations.

130. Paragraph 130 contains legal conclusions that do not require a response. To the extent a response is required, Intervenors deny the allegations.

131. Paragraph 131 contains legal conclusions that do not require a response. To the extent a response is required, Intervenors deny the allegations. Furthermore, Intervenors specifically deny the allegations in Paragraph 131, given that (at the least) Ohio law offers voters personalized assistance by Board of Elections employees in both filling out and returning ballots. *See generally* R.C. § 3509.08.

132. Paragraph 132 contains legal conclusions that do not require a response. To the extent a response is required, Intervenors deny the allegations.

133. Paragraph 133 contains legal conclusions that do not require a response. To the extent a response is required, Intervenors deny the allegations. Intervenors specifically deny that “voters with disabilities, like Miss Kucera, will be disenfranchised” “[w]ithout the ability to have people other than the statutorily enumerated family members” possess and return their ballots, given that (at the least) Ohio law offers voters personalized assistance by Board of Elections employees in both filling out and returning ballots. *See generally* R.C. § 3509.08.

134. Paragraph 134 contains legal conclusions that do not require a response. To the extent a response is required, Intervenors deny the allegations.

135. Paragraph 135 contains legal conclusions that do not require a response. To the extent a response is required, Intervenors deny the allegations. Furthermore, the authorities speak for themselves, and Plaintiffs’ description of it does not require a response. To the extent a response is required, Intervenors deny the allegations. Intervenors admit that Plaintiffs purport to bring this claim pursuant to an alleged implied right of action within the ADA.

136. Intervenor's admit that Plaintiffs purport to bring this claim pursuant to 42 U.S.C. § 1983. That law speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenor's deny the allegations.

137. Paragraph 137 contains legal conclusions that do not require a response. To the extent a response is required, Intervenor's deny the allegations.

138. Paragraph 138 contains legal conclusions that do not require a response. To the extent a response is required, Intervenor's deny the allegations.

139. Paragraph 139 contains legal conclusions that do not require a response. To the extent a response is required, Intervenor's deny the allegations.

COUNT II

140. Intervenor's reassert and incorporate by reference their answers in the preceding paragraphs.

141. Intervenor's admit that Plaintiffs purport to bring this claim pursuant to 29 U.S.C. § 794 and 42 U.S.C. § 1983.

142. 29 U.S.C. § 794(a) speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenor's deny the allegations.

143. 29 U.S.C. § 794(b)(1) speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenor's deny the allegations.

144. Paragraph 144 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor's deny the allegations.

145. Intervenor's are without knowledge or information sufficient to form a belief about the allegations in Paragraph 145 and so deny them.

146. Paragraph 146 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

147. Paragraph 147 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

148. Paragraph 148 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

149. Paragraph 149 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations. Intervenors are without knowledge or information sufficient to form a belief about the remaining allegations in Paragraph 149 and so deny them.

150. Paragraph 150 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations. Intervenors are without knowledge or information sufficient to form a belief about the remaining allegations in Paragraph 149 and so deny them.

151. Paragraph 151 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

152. Paragraph 152 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

153. Paragraph 153 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

154. Paragraph 154 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations. Furthermore, the cited case speaks for itself and Plaintiffs' description of it does not require a response. Finally, Intervenors admit

that Plaintiffs purport to bring this claim pursuant to an alleged implied right of action in Section 504 of the Rehabilitation Act.

155. Intervenor admits that Plaintiffs purport to bring this claim pursuant to 42 U.S.C. § 1983. That law speaks for itself and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenor denies the allegations.

156. Paragraph 156 contains legal conclusions to which no response is required. To the extent a response is required, Plaintiffs deny the allegations.

157. Paragraph 157 contains legal conclusions to which no response is required. To the extent a response is required, Plaintiffs deny the allegations.

158. Paragraph 158 contains legal conclusions to which no response is required. To the extent a response is required, Plaintiffs deny the allegations.

COUNT III

159. Intervenor reasserts and incorporates by reference their answers in the preceding paragraphs.

160. Intervenor admits that Plaintiffs purport to bring this claim pursuant to 52 U.S.C. § 10508, 42 U.S.C. § 1983, and the Supremacy Clause of the United States Constitution.

161. The VRA speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenor denies the allegations.

162. Paragraph 162 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor denies the allegations. Furthermore, the cited authorities speak for themselves, and Plaintiffs' description of them does not require a response. To the extent a response is required, Intervenor denies the allegations.

163. Paragraph 163 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations. Furthermore, the cited authority speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenor deny the allegations.

164. Paragraph 164 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations. Furthermore, the cited authorities speak for themselves, and Plaintiffs' description of them does not require a response. To the extent a response is required, Intervenor deny the allegations.

165. Paragraph 165 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations.

166. Paragraph 166 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations.

167. Paragraph 167 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations. Intervenor are without knowledge or information sufficient to form a belief about the remaining allegations in Paragraph 167 and so deny them.

168. Paragraph 168 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations.

169. Paragraph 169 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations.

170. Paragraph 170 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations.

171. Paragraph 171 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations.

172. Paragraph 172 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations. Furthermore, the cited authorities speak for themselves, and Plaintiffs' description of them does not require a response. To the extent a response is required, Intervenor deny the allegations.

173. Intervenor admit that Plaintiffs purport to bring this claim pursuant to 42 U.S.C. § 1983. That law speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenor deny the allegations.

174. Paragraph 174 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations.

175. Paragraph 175 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations.

176. Paragraph 176 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations.

COUNT IV

177. Intervenor reassert and incorporate by reference their answers in the preceding paragraphs.

178. Intervenor admit that Plaintiffs purport to bring this claim pursuant to the Due Process Clauses of the Fifth and Fourteenth Amendments of the United States Constitution and 42 U.S.C. § 1983.

179. The authorities cited in Paragraph 179 speak for themselves, and Plaintiffs' description of them does not require a response. To the extent a response is required, Intervenors deny the allegations.

180. Paragraph 180 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

181. Paragraph 181 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

182. Ohio election law speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations.

183. Ohio election law speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations.

184. Ohio election law speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations. Furthermore, Paragraph 184 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

185. Ohio election law speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations. Furthermore, Paragraph 185 contains a legal hypothetical to which no response is required. To the extent a response is required, Intervenors deny the allegations.

186. Ohio election law speaks for itself, and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations. Furthermore, Paragraph 186 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

187. Paragraph 187 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

188. Intervenors are without knowledge or information sufficient to form a belief about the allegations in Paragraph 188 and so deny them.

189. Paragraph 189 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

190. The authority cited in Paragraph 190 speaks for itself and Plaintiffs' description of it does not require a response. To the extent a response is required, Intervenors deny the allegations.

191. Paragraph 191 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

192. Intervenors are without knowledge or information sufficient to form a belief about the allegations in Paragraph 192 and so deny them.

193. The authorities cited in Paragraph 193 speak for themselves, and Plaintiffs' description of them does not require a response. To the extent a response is required, Intervenors deny the allegations.

194. Paragraph 194 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

195. Paragraph 195 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

196. Paragraph 196 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

197. Paragraph 197 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

198. Paragraph 198 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

199. Paragraph 199 contains legal conclusions to which no response is required. To the extent a response is required, Intervenors deny the allegations.

JURY DEMAND

Intervenors deny that Plaintiffs are entitled to trial by jury on any issues in this case.

PRAYER FOR RELIEF

1. Intervenors deny the allegations in Paragraph (1) and deny that Plaintiffs are entitled to the relief requested.

2. Intervenors deny the allegations in Paragraph (2) and deny that Plaintiffs are entitled to the relief requested.

3. Intervenors deny the allegations in Paragraph (3) and deny that Plaintiffs are entitled to the relief requested.

4. Intervenors deny the allegations in Paragraph (4) and deny that Plaintiffs are entitled to the relief requested.

5. Intervenors deny the allegations in Paragraph (5) and deny that Plaintiffs are entitled to the relief requested.

AFFIRMATIVE AND OTHER DEFENSES

Without assuming the burden of proof, and while reserving the right to assert all applicable affirmative defenses supported in law and fact, Intervenors assert the following affirmative defenses:

FIRST AFFIRMATIVE DEFENSE

The Court lacks subject-matter jurisdiction over Plaintiffs' claims.

SECOND AFFIRMATIVE DEFENSE

The Complaint fails to allege sufficient facts upon which a claim for relief may be granted.

THIRD AFFIRMATIVE DEFENSE

Plaintiffs lack standing to assert their claims in the Complaint.

FOURTH AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred by the applicable statute of limitations.

FIFTH AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred by the equitable doctrine of laches, estoppel, unclean hands, and/or waiver.

SIXTH AFFIRMATIVE DEFENSE

Plaintiffs' requested relief would have the Court—not the Ohio General Assembly—create the law governing the conduct of elections in Ohio. The power to regulate elections is exclusively a legislative function. U.S. CONST. art. II, § 1, cl. 2. Plaintiffs' requested relief would run contrary to the separation of powers and usurp the General Assembly's authority.

SEVENTH AFFIRMATIVE DEFENSE

This Court is improper venue for this suit.

EIGHTH AFFIRMATIVE DEFENSE

Plaintiffs have failed to join a required party or required parties to this suit.

CONCLUSION

Intervenors respectfully request that the Court (1) dismiss Plaintiffs' claims with prejudice and enter judgment for Defendants; (2) deny Plaintiffs' prayer for relief; and (3) grant such other relief as the Court may deem proper.

Dated: January 19, 2024

Respectfully submitted,

/s/ Jesse T. Wynn

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**Pro hac vice application forthcoming*